



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

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Mr. Ronald Blanchette  
Nordic Village Resort  
Route 16  
Jackson, New Hampshire 03846

LETTER OF DEFICIENCY  
WMB PBF 03-22  
June 20, 2003

Dear Mr. Blanchette:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On June 16, 2003, DES inspected the following public bathing facilities at the Nordic Village Resort, Bartlett, NH: (a) the highland ridge pool, ("Highland Pool"); (b) the outdoor pool located next to the adult fitness area ("Adult Pool"); (c) the spa located next to the adult fitness area ("Adult Spa"); and (d) the big outdoor pool located next to the indoor pool ("Big Pool").

During this inspection, the following deficiencies were noted:

A recommendation to close the Highland Pool was issued on June 16, 2003. The inspection on June 16, 2003 revealed that the Highland Pool was in violation of Env-Ws 1103.14 and unsafe for public use. The following bacterial violations were observed in the Highland Pool water:

- a. Pursuant to Env-Ws 1103.14(a)(1) the maximum allowable concentration of total coliform bacteria and *Escherichia coli* in public bathing facility water is zero counts per one hundred milliliters (0CTS/100mL). The Highland Pool water contained 6 CTS/100mL of total coliform bacteria.
- b. The maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Highland Pool water contained greater than 200 CTS/100mL with confluent growth.
2. Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Highland Pool water was less than 0.1 mg/L on June 16, 2003.
3. Pursuant to Env-Ws 1103.15(e), the clarity of the pool water shall be such that the main drain is clearly visible at all times. The main drain / bottom of the Highland Pool was not visible on June 16, 2003.
4. Env-Ws 1103.16(f) requires a pH between 7.0 and 7.8 in public spa water. The pH of the Adult Spa water was 6.8 on June 16, 2003.

Env-Ws 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. No written records were available at the time of the inspection relative to the required testing of the Adult Pool and Adult Spa water.

6. Env-Ws 1104.04(a) requires the following safety devices to be present at all public pools: (1) a light, strong pole not less than 12 feet long, including a body hook, and (2) a minimum one-fourth inch diameter throwing rope as long as one and one-half times the maximum width of the pool or 50 feet, whichever is less, to which has been firmly attached a ring buoy with an outside diameter of approximately 15 inches or a similar flotation device. These safety devices were not present at the Highland Pool at the time of inspection. These safety devices were not present at the Adult Pool at the time of inspection.

7. Env-Ws 1105.01(j) requires a rope with attached floats a ("breakpoint safety line") to be placed across public pools over the break in depth between the shallow and deep portions of the pool. A breakpoint safety line was not present in the Big Pool at the time of the inspection.
8. Pursuant to Env-Ws 1104.03(b), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Patron rules were not posted at the Highland Pool at the time of the inspection. Patron rules were not posted at the Adult Pool at the time of the inspection.
9. Pursuant to Env-Ws 1104.03(d)(7), a clock shall be visible from all public spas. A clock was not visible from the Adult Spa at the time of the inspection.
10. Pursuant to Env-Ws 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Highland Pool at the time of the inspection. The location of the nearest telephone was not posted at the Adult Pool at the time of the inspection.

Env-Ws 1104.03(e)(1) states that the depth of water in feet shall be plainly and conspicuously marked at or above the water line on the vertical pool wall and on the top of the coping or edge of the deck or walk next to the pool. The depth of the Highland Pool was not marked. The depth of the Adult Pool was not marked on the vertical pool wall of the Adult Pool.

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

2. A copy of two weeks of water quality test results for all facilities (please do not send originals).  
A timetable of when:
  - a. the safety items will be in place;
  - b. the depth will be marked; and
  - c. patron rules will be posted.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. After a violation of Env-Ws 1103.14, the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,

  
**COPY**  
Judy Connor  
Limnology Center Director

Enclosures

Certified Mail # 7000 1670 0000 0586 0011

cc: Mark Harbaugh, Enforcement Attorney, DES ✓  
Amy Wilson, Public Bathing Facility Coordinator, DES  
Gene Chandler, Health Officer, Town of Bartlett  
Robert Cyr, Luxury Mountain Getaways